

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

ROBERT S. FLINT,
Plaintiff,

Civ. No. 04-6406-AA

ORDER

v.

UNITED STATES,
Defendant.

AIKEN, Judge:

On November 22, 2004, plaintiff filed a letter that was construed as a complaint against the United States, Internal Revenue Service. Defendant moves to dismiss for failure to effectuate service. Defendant is correct that plaintiff has not properly served defendant with his complaint. Plaintiff has not served the United States Attorney for the District of Oregon or the United States Attorney General in Washington, D.C. as required by

Federal Rule of Civil Procedure 4(I)(1). Further, plaintiff has not effectuated service within 120 days of filing his complaint under Federal Rule of Civil Procedure 4(m). Plaintiff has not responded to defendant's motion to dismiss or the arguments raised by defendant.

Accordingly, defendant's Motion to Dismiss (doc. 3) is GRANTED, and this action is DISMISSED without prejudice.

IT IS SO ORDERED.

Dated this 29 day of April, 2005.

A handwritten signature in cursive script, appearing to read "Ann Aiken", is written above a horizontal line.

Ann Aiken
United States District Judge